

JMH:SP
F. #2023R00615

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
----- X

UNITED STATES OF AMERICA

- against -

DAFENG YE,

Defendant.

----- X

THE GRAND JURY CHARGES:

COUNT ONE
(Access Device Fraud)

1. On or about and between August 2, 2023 and August 9, 2023, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant DAFENG YE, together with others, did knowingly and with intent to defraud use one or more unauthorized access devices, to wit: debit cards, in a manner affecting interstate commerce, and by such conduct did obtain things of value aggregating \$1,000 or more during a one-year period.

(Title 18, United States Code, Sections 1029(a)(2), 1029(c)(1)(A)(i), 2 and 3551 et seq.)

COUNT TWO
(Aggravated Identity Theft)

2. On or about and between August 2, 2023 and August 9, 2023, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.
* FEBRUARY 20, 2024 *
BROOKLYN OFFICE

S U P E R S E D I N G
I N D I C T M E N T

Cr. No. 23-359 (S-1) (HG)
(T. 18, U.S.C., §§ 982(a)(2)(B), 982(b)(1),
1028A(a)(1), 1028A(b), 1028A(c)(4),
1029(a)(2), 1029(c)(1)(A)(i),
1029(c)(1)(C), 1029(c)(2), 1704, 2 and
3551 et seq.; T. 21, U.S.C., § 853(p))

defendant DAFENG YE, together with others, during and in relation to the crime charged in Count One, did knowingly and intentionally transfer, possess and use, without lawful authority, one or more means of identification of one or more other persons, to wit: debit cards issued in the names of other persons whose identities are known to the Grand Jury, knowing that such means of identification belonged to said persons.

(Title 18, United States Code, Sections 1028A(a)(1), 1028A(b), 1028A(c)(4), 2 and 3551 et seq.)

COUNT THREE

(Possession Of Counterfeit United States Postal Service Keys)

3. On or about August 9, 2023, within the Eastern District of New York and elsewhere, the defendant DAFENG YE, together with others, did knowingly and intentionally possess one or more keys suited to locks adopted by the United States Postal Service (“USPS”), and one or more keys to authorized receptacles for the deposit and delivery of mail matter, to wit: one or more counterfeit USPS arrow keys, with the intent unlawfully and improperly to use, and to cause unlawfully and improperly to be used, the same.

(Title 18, United States Code, Sections 1704, 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNT ONE

4. The United States hereby gives notice to the defendant that, upon his conviction of the offense charged in Count One, the government will seek forfeiture in accordance with: (a) Title 18, United States Code, Section 982(a)(2)(B), which requires any person convicted of such offense to forfeit any property constituting, or derived from, proceeds obtained directly or indirectly as a result of such offense; and (b) Title 18, United States Code,

Section 1029(c)(1)(C), which requires any person convicted of such offenses to forfeit any personal property used or intended to be used to commit such offense.

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided

without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Sections 982(b)(1) and 1029(c)(2), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 982(a)(2)(B), 982(b)(1), 1029(c)(1)(C) and 1029(c)(2); Title 21, United States Code, Section 853(p))

A TRUE BILL



FOREPERSON

By Carolyn Pokorny, Assistant U.S. Attorney

BREON PEACE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

F.#: 2023R00615
FORM DBD-34
JUN. 85

No. 23-359 (S-1) (HG)

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

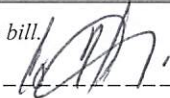
DAFENG YE,

Defendant.

SUPERSEDING INDICTMENT

(T. 18, U.S.C., §§ 982(a)(2)(B), 982(b)(1), 1028A(a)(1), 1028A(b),
1028A(c)(4), 1029(a)(2), 1029(c)(1)(A)(i), 1029(c)(1)(C), 1029(c)(2),
1704, 2 and 3551 *et seq.*; T. 21, U.S.C., § 853(p))

A true bill.



Foreperson

Filed in open court this _____ day,

of _____ A.D. 20 _____

Clerk

Bail, \$ _____

Stephanie Pak, Assistant U.S. Attorney (718) 254-6064